



Air Bath (WA353)  
KP1082 IFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Peter W. Swart, et al.  
Application No.: 10/774,123  
Filed: February 6, 2004  
Title: AIR BATH  
Group Art Unit: 3751  
Examiner: --  
Atty. Docket No.: 550299.00047

**POWER OF ATTORNEY/STATEMENT UNDER 37 CFR 3.73(b)**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Kohler Co. states that it is the assignee of the entire right, title, and interest in the above-identified patent application by virtue of an assignment from the inventor(s) of the patent application identified above. The assignment was executed by the inventors (copy attached hereto) and is being recorded with the U. S. Patent and Trademark Office under separate cover. The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

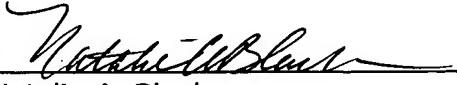
The assignee hereby appoints the practitioners associated with Customer Number 26710 to prosecute and transact all business in the U. S. Patent and Trademark Office in connection with the above-identified patent application and all applications deriving therefrom.

Please direct all communications to the address for the above-identified Customer Number. Telephone calls may be directed to Steven J. Wietrzny at the telephone number associated with that customer number.

Respectfully submitted,  
KOHLER CO.

Dated: June 28, 2004

By:

  
Natalie A. Black

Title: Secretary

**ASSIGNMENT**

WHEREAS, we, **Peter W. Swart** of Oostburg, Wisconsin, **Mike Yoshiaki Daikubara** of Fox Point, Wisconsin, and **Diana Wang** of Sheboygan, Wisconsin, have made certain inventions which are described in Application No. 10/774,123, filed February 6, 2004, for Letters Patent of the United States entitled AIR BATH executed by us preparatory to obtaining United States Letters Patent therefor, and

WHEREAS, Kohler Co., a Wisconsin corporation having a place of business at Kohler, Wisconsin, (hereinafter called "Company"), is desirous of acquiring the entire interest in said inventions throughout the United States of America and the territories thereof and for all foreign countries,

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, receipt whereof is hereby acknowledged, we hereby sell, assign and transfer unto said Company, its successors and assigns, the entire right, title and interest throughout the United States of America and the territories thereof and for all foreign countries, in and to said inventions, the aforesaid application, and all other applications hereafter filed in the United States or any other country based in whole or in part on said inventions, and all Letters Patent granted upon said applications by the United States or any other country, and we do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to said Company. We further grant to said Company, its successors and assigns, the right to claim for any of said applications the full benefits and priority rights of any international agreement between the United States and any foreign country or countries.

We hereby warrant that we have the full right to make the conveyance herein, and we hereby covenant that we, our heirs, legal representatives and assigns, will, when requested, communicate to said Company, its representatives, successors and assigns, all facts known respecting said inventions, execute all divisional, continuing, reissue, reexamination and foreign applications together with individual assignments therefore, make all rightful oaths, sign all lawful papers, testify in any legal proceeding and generally do everything possible to aid said Company, its successors and assigns, in the obtaining of Letters Patent.

IN TESTIMONY WHEREOF, we have hereunto set our hands and seals at the location and on the date indicated below our signatures.

WITNESSES:

Peter W. Swart  
Diana Wang

PETER W. SWART

Peter W. Swart (SEAL)

Dated: 6-22-04

STATE OF WISCONSIN )  
                        )  
                        ) ss.

SHEBOYGAN COUNTY)

Before me on this 22 day of June, 2004, came Peter W. Swart, to me known to be the person named in the foregoing Assignment and acknowledged the execution thereof to be his free act and deed.

(SEAL)

Michelle L. J.  
Notary Public, State of Wisconsin  
My Commission: 10/28/07

WITNESSES:

Brian Wh  
Heck, Pres

MIKE YOSHIAKI DAIKUBARA

 (SEAL)

Dated: 06/21/04

STATE OF WISCONSIN )  
                      )  
SHEBOYGAN COUNTY ) ss.  
                      )

Before me on this 22 day of June, 2004, came Mike Yoshiaki Daikubara, to me known to be the person named in the foregoing Assignment and acknowledged the execution thereof to be his free act and deed.

(SEAL)

Michelle L. Jin  
Notary Public, State of Wisconsin  
My Commission: 10/28/07

WITNESSES:

Kimberly M. Johnson  
Hector J. Diaz

DIANA WANG

 (SEAL)

Dated: 6/22/04

STATE OF WISCONSIN      )  
                      )  
SHEBOYGAN COUNTY      ) ss.  
                      )

Before me on this 22 day of June, 2004, came Diana Wang, to me known to be the person named in the foregoing Assignment and acknowledged the execution thereof to be her free act and deed.

(SEAL)

Michelle L. Jin  
Notary Public, State of Wisconsin  
My Commission: 10/28/07